

**A RESOLUTION
BY COUNCILMEMBER HOWARD SHOOK**

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A RESOLUTION ESTABLISHING A TELECOMMUNICATIONS POLICY AND ADVISORY COMMITTEE (TELEPAC) FOR THE PUPOSE OF REVIEWING CITY POLICY SO AS TO ADVISE THE MAYOR AND CITY COUNCIL ON MAXIMIZING THE USE OF TELECOMMUNICATION TECHNOLOGY AND PROGRAMS SO AS BENEFIT THE PUBLIC'S HEALTH, SAFETY, AND WELFARE; AND FOR OTHER PURPOSES.

WHEREAS, technological innovations are making a variety of new audio, video and data transfer telecommunications technologies available; and

WHEREAS, many existing and new telecommunications systems require the placement of facilities under, on, and over the City streets and on both private and public structures to provide telecommunications services to subscribers and users; and

WHEREAS, substantial public concern has been raised as to the appropriateness of the City's approval process for these requests; and

WHEREAS, the increased number of telecommunications suppliers seeking to locate these facilities in the streets increases burdens on the physical infrastructure of the streets, as well as increasing the administrative work load of various City agencies in evaluating the impact of these facilities; and

WHEREAS, in order to manage these increased burdens, the City must expand its planning for the use of the streets, foster public/private cooperation, ensure that the public receives fair compensation for ongoing and comprehensive use of public property by private entities, and ensure that the City's regulations regarding the use of the streets are adequate to protect the health, safety and welfare of City residents and that administrative costs are covered; and

WHEREAS, within the limits of preemptive federal and/or state law, the City should do every thing possible to promote open and fair competition among telecommunications providers within the City; to ensure that new telecommunications services are made available to City of Atlanta residents and businesses on a fair and nondiscriminatory basis; to ensure that the principle of universal access to telecommunications services is upheld within the City; to ensure that public, education, and government access to video programming channels is preserved; to promote the safe and efficient use of the streets by telecommunications providers; to ensure that new telecommunications technologies do not interfere with the City emergency communications systems; to ensure that public receives fair compensation for the use of the public rights-of-way and the costs of approving and, if necessary, monitoring the various devices sought to be installed by telecommunications providers; and to ensure that the City itself has access to telecommunications services which improve public safety, public access to government and the efficient delivery of public information and services.

WHEREAS, in light of the developments and circumstances described above, it is necessary and appropriate for the City of Atlanta to promote the public health, safety and general welfare of its citizens by creating the Telecommunications Policy and Advisory Committee, also known as TelePAC.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION ONE: That there is hereby established a nine (9) member Telecommunications Policy and Advisory Committee (TelePAC) which shall be appointed as follows:

- a. Two (2) members shall be appointed by the Mayor;
- b. Four (4) members shall be appointed by Council: One (1) by the President of Council, and one (1) from each of the three (3) Post/District Council groupings;
- c. One (1) member shall be appointed by the Atlanta Planning Advisory Board;
- d. One (1) member shall be appointed by the Atlanta Regional Commission;
- e. One (1) member shall be appointed by the Metro Atlanta Chamber of Commerce.

SECTION TWO: The TelePAC shall serve as an advisory body to the Mayor and City Council, and shall submit a report on the current status of and opportunities to improve City policy regarding areas including but not limited to:

- a. The operation and function of public, educational, and government access channels;
- b. The cable and telecommunications right-of-way franchise agreements;
- c. The negotiation or renegotiation of any cable and/or telecommunications franchise agreements;
- d. Advances in the field of telecommunications with potential City benefit;
- e. Recommendations regarding the use and occupation of the public rights-of-way for installation of telecommunications facilities;
- f. Recommendations regarding the deployment of new technologies within the City that would maximize the availability of telecommunications services.

SECTION THREE: The TelePAC shall submit their report to the Mayor and City Council within ninety (90) days, unless said deadline is extended by Council approval.

SECTION FOUR: That upon this resolution becoming law, the Municipal Clerk shall immediately notify the officials and boards directed to appoint members of the TelePAC of the adoption of this legislation, and request the selection of members within two weeks following such notification.